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Security Council
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New York

President:	Mr. van Walsum	(Netherlands)
Members:	Argentina	Mrs. Martínez Ríos
	Bahrain	Mr. Buallay
	Brazil	Mr. Fonseca
	Canada	Mr. Fowler
	China	Mr. Chen Xu
	France	Mr. Dejammet
	Gabon	Mr. Essonghé
	Gambia	Mr. Jagne
	Malaysia	Mr. Hasmy
	Namibia	Mr. Andjaba
	Russian Federation	Mr. Lavrov
	Slovenia	Mr. Türk
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Holbrooke

Agenda

Protection of civilians in armed conflict

Report of the Secretary-General to the Security Council on the protection of civilians in armed conflict (S/1999/957)

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The meeting was called to order at 11.35 a.m.

Welcome to the Deputy Foreign Minister for Humanitarian Affairs of Argentina

The President: At the outset, I should like to acknowledge and welcome the presence of the Deputy Foreign Minister for Humanitarian Affairs of Argentina, Her Excellency Ms. Alicia Martínez Ríos.

Adoption of the agenda

The agenda was adopted.

Protection of civilians in armed conflict

Report of the Secretary-General to the Security Council on the protection of civilians in armed conflict (S/1999/957)

The President: I should like to inform the Council that I have received letters from the representatives of Botswana, Egypt, Finland, India, Iraq, Japan, Mongolia, Norway, the Republic of Korea, Rwanda, Slovakia, South Africa, the former Yugoslav Republic of Macedonia, Tunisia and Ukraine, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Legwaila (Botswana), Mr. Aboul Gheit (Egypt), Ms. Korpi (Finland), Mr. Sharma (India), Mr. Hasan (Iraq), Mr. Takasu (Japan), Mr. Enkhsaikhan (Mongolia), Mr. Kolby (Norway), Mr. Lee See-Young (Republic of Korea), Mr. Mutaboba (Rwanda), Mr. Tomka (Slovakia), Mr. Kumalo (South Africa), Mr. Calovski (the former Yugoslav Republic of Macedonia), Mr. Hachani (Tunisia) and Mr. Yel'chenko (Ukraine) took the seats reserved for them at the side of the Council Chamber.

The President: I should like to inform the Council that I have received a letter dated 10 September 1999 from the Permanent Observer of Palestine to the United Nations, which has been issued as document S/1999/980, and which reads as follows:

> "I have the honour to request that, in accordance with its previous practice, the Security Council invite Ambassador Nasser Al-Kidwa, Permanent Observer of Palestine to the United Nations, to participate in the upcoming meetings of the Security Council, beginning on Thursday, 16 September 1999, regarding civilians in armed conflict".

I propose, with the consent of the Council, to invite the Permanent Observer of Palestine to participate in the current debate in accordance with the rules of procedure and the previous practice in this regard.

There being no objection, it is so decided.

At the invitation of the President, Mr. Al-Kidwa (Palestine), took the seat reserved for him at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, if I hear no objection, I shall take it that the Security Council agrees to extend an invitation to the Permanent Observer of Switzerland to the United Nations to participate in the discussion, without the right to vote.

There being no objection, it is so decided.

At the invitation of the President, Mr. Maurer (Switzerland), took the seat reserved for him at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mrs. Sylvie Junod, head of the delegation of the International Committee of the Red Cross to the United Nations.

There being no objection, it is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General to the Security Council on the protection of civilians in armed conflict, document S/1999/957.

I give the floor to the Secretary-General.

The Secretary-General: I am pleased to have the opportunity to present to the Security Council my report on the protection of civilians in armed conflict. This report takes as a starting-point the worst acts of humankind and calls for our best efforts to defend civilians where they are most imperiled.

More than just the victims of crossfire, civilians have themselves become the targets in today's conflicts. During the past decade, many millions have been killed. Over 30 million have been displaced, and countless men, women and children have been denied access to life-saving food and medicine. These statistics are made all the more shocking by the calculated methods used by so many belligerents. We have observed in each of the five continents that belligerents are increasingly taking care to avoid direct confrontation with each other. Instead, their favourite strategy is to gain ground in the exercise of terror against defenceless civilians. Their actions, regardless of any reason that may motivate their struggle, demonstrate a shocking disregard for human life and human values.

The Emergency Relief Coordinator addressed this issue in January in a meeting of the Security Council. Eight months later, it is fair to ask whether the situation has changed. Has there been any improvement?

Since January, conflicts have erupted or have been reignited or intensified in Angola, Colombia, Sierra Leone, Kosovo and East Timor. Each of these situations reminds us in different ways of the scale of commitment needed to transform a fragile ceasefire into a secure and stable peace. Years of careful work in Angola have been undone by the desire of warring parties to control economic resources. The Lusaka Protocol has collapsed and the civilian population is paying dearly for this failure. Many have lost their lives and hundreds of thousands are again displaced.

In Sierra Leone, too, the quest for power and control of economic resources has driven belligerents to acts of depravity. The mutilation of so many people demonstrates that international law means nothing without effective measures to back it up.

In East Timor, the international community is faced with another situation where human rights have become a casualty of aggression. Militia groups are attempting by a campaign of terror to overturn the results of a democratic poll in which they were overwhelmingly defeated.

None of these countries at present has the institutions or the democratic political culture necessary for peace to take hold. They all require sustained and comprehensive efforts to support those who favour peace over war, stability over banditry. To ensure that these crises are brought to an end, the United Nations must be ready to respond with more than meetings, speeches and reports. It must take action in the name of the principles of the Charter and the values of humanity. The essence of the United Nations work is to establish human security where it is no longer present, where it is under threat or where it never existed. This is our humanitarian imperative.

We are at the end of a century that has seen the creation and refinement of much of the corpus of international law. Yet civilians have rarely been so vulnerable. That the conventions of international humanitarian and human rights law are being disregarded so wilfully by combatants and are being enforced only sporadically by the international community is deeply disturbing.

Contained in this report are a total of 40 concrete recommendations which I believe can help to improve the security of civilians in armed conflict. These recommendations provide the Council with tools and strategies which it can use to respond to particular situations. To make the best use of these tools, the Council may wish to set up a standing mechanism through which it can seek expert advice on specific issues. Such a mechanism would allow the Council to develop a range of responses to deal with issues of legal protection, prevention of conflicts and physical protection.

The Council should make use of this expertise not simply for briefings on humanitarian situations, but as a source of concrete solutions to the problems being confronted. For example, recommendation 39 refers to humanitarian and security zones. In situations where such options are being considered, expert advice may be sought from the Secretariat or elsewhere. All the recommendations but the last could help to prevent future

hostilities and assist in the protection of civilians already in armed conflict.

Tragically, they will not always be enough. If they are not, the final recommendation on enforcement action will need to be taken. There must, of course, be objective criteria to determine the threshold for any form of intervention, but its use must always be on the table. There is no doubt that enforcement action is a difficult step to take. It often goes against political or other interests, but there are universal principles and values which supersede such interests and the protection of civilians is one of them.

I have given high priority to the protection of civilians in armed conflict and am willing to work in close support of the Security Council. I am prepared to use my good offices to put in place a system of monitoring progress in the implementation of the 40 recommendations that we have made and to report back to the Council on a regular basis. The Council should then be able to measure its progress and evaluate the effectiveness of its efforts.

Those who founded the United Nations believed that, despite a bloodied history, humanity was ultimately redeemable. Yet we see that civilians are still forced from their homes; driven to borders which are open one minute and closed the next; forced into hiding; separated from their families; made to act as human shields; stripped of their identities; and callously killed. The plight of civilians is no longer something which can be neglected or made secondary because it complicates political negotiations or interests. It is fundamental to the central mandate of the Organization.

Failure to address these issues would erode the respect of the Council's resolutions and so diminish the authority of the United Nations as a whole. More importantly, it would take away the one thing that sustains the many millions who have lost all in conflict: the hope that something called "the international community" is willing to uphold the basic dignity of humankind.

Mr. President, with your permission, I would ask Mrs. Robinson to make a brief statement.

The President: At the Secretary-General's request, I now call on Mrs. Mary Robinson, United Nations High Commissioner for Human Rights.

Mrs. Robinson (High Commissioner for Human Rights): I warmly welcome this opportunity to address members of the Security Council. I wish to express my appreciation to the Council for having commissioned this report on the protection of civilians in armed conflict and I thank the Secretary-General for an excellent, clear and concise document.

I am pleased to be here today, as the report raises issues close to my heart. The report accurately reflects the innumerable challenges which the United Nations faces in its work and so many of the human rights issues which my staff and I address on a daily basis. My Office is more than willing to play its part in implementing the report's constructive recommendations on the effective implementation of international human rights, humanitarian and refugee law and on the prevention of gross violations of human right so crucial to national and regional stability and thus to international peace and security.

As High Commissioner for Human Rights, I have assumed a burden of listening: listening to the pain and anguish of victims of violations; listening to the anxieties and fears of human rights defenders. I am glad to share this burden with the members of the Council today because they have the power and possibilities to alleviate the pain and to prevent some of the anxieties being realized.

If I refer to East Timor first it is because the terrible events of recent days are so fresh in my mind. The awful abuses committed in East Timor have shocked the world — and rightly so, since it would be hard to conceive of a more blatant assault on the rights of hundreds of thousands of innocent civilians. The murders, maimings, rapes and countless other atrocities committed by the militias, with the involvement of elements of the security forces, were especially repugnant because they came in the aftermath of the free expression of the wishes of the East Timorese people about their political future.

I saw evidence of a well-planned and systematic policy of killings, displacement, destruction of property and intimidation. There must be accountability for the grave violations committed in East Timor. My recommendation is the establishment of an international commission of inquiry to gather and analyze evidence of the events in East Timor.

What happened in East Timor is a graphic example of the plight of civilians in conflict situations. And East Timor is just the latest example. In the former Yugoslavia I met women and girls who had been sexually

assaulted, raped and forced into sexual slavery. In Sierra Leone I met children whose arms or legs had been brutally cut off during the civil war. I listened to accounts of children being abducted by rebels and sent to training centres or directly to the battlefront. Children were forced to attack their own villages and families and commit the most horrendous atrocities. Many of these child soldiers have been killed, while others have been maimed and psychologically scarred for life. In Colombia and Cambodia human rights defenders vividly described the climate of violence in which they were carrying on their activities at great personal risk. Reports from Angola tell how rebels provoked a mass movement of displaced persons desperate to reach the relatively safe haven of provincial capitals.

It had been expected that the collapse of superpower rivalry would lead to a reduction in conflict, but the decline in inter-State fighting has been more than made up for in the growth of vicious internal conflicts, often unpredictable and volatile. These are conflicts that drag on for years without settlement or that flare up afresh when peace seemed to be at hand. The village has become the battlefield and the civilian population the primary target. Girls and women are routinely subjected to sexual abuse and gender-based violence. Children are recruited and kidnapped to become child soldiers, forced to give violent expression to the hatreds of adults.

Both the Secretary-General's report and my own experiences bring home the reality: civilians are no longer just victims of war, today they are regarded as instruments of war. The starving, terrorizing, murdering and raping of civilians — all are seen as legitimate. Sex is no defence, nor is age. Indeed, it is women, children and the elderly who are often at greatest risk. That is a strange, terrible state of affairs in the year after we commemorated the fiftieth anniversary of the Universal Declaration of Human Rights. It is not sufficient that we be appalled by the brutality of today's armed conflicts. We must learn from the analysis of the plight of civilians in armed conflicts and seek ways to address the problem effectively.

Conflicts almost always lead to massive human rights violations, but also erupt because human rights are violated due to oppression, inequality, discrimination and poverty. These conditions are exacerbated when the State is too weak or unable to address them efficiently. Human rights violations are thus both a consequence of and a contributing factor to instability and further conflict. And as a result of globalization and increasing interdependence between States, conflicts which are essentially internal often have spillover effects beyond national borders.

As so clearly underscored by the Secretary-General in his report, there is an intrinsic link between systematic and widespread violations of the rights of civilians and the erosion of international peace and security. For example, in Iraq and the former Yugoslavia the Security Council has recognized that the repression of the civilian population has led to consequences that threatened peace and security in the region. Human security has become synonymous with international security. Human security can be guaranteed only through the full respect of all fundamental rights. This intrinsic link demands the attention and action of the Security Council in the field of human rights protection and the prevention of massive and gross violations.

The first need today is not that we write new laws, but that we implement what already exists in the field, close to the victims and where it really matters. To this end I wish to express my support for those recommendations in the report which call on States to ratify all of the international instruments in the areas of human rights, humanitarian and refugee law, to withdraw reservations and, most importantly, to comply fully with their provisions. Could we not also take the concrete step of raising the minimum age for participation in hostilities to 18 years?

A serious issue which must be addressed is accountability. We are increasingly being faced with the dilemma of having to stop atrocities being committed and seeking avenues for the peaceful settlement of conflicts on the one hand, while needing to hold accountable and punish the perpetrators of human rights violations, on the other. To grant amnesty to the authors of the most atrocious crimes for the sake of peace and reconciliation may be tempting, but it contradicts the purpose and principles of the United Nations Charter, as well as internationally observed principles and standards. For these reasons, the recommendations in the Secretary General's report on enforcing accountability for war crimes and on measures to deter and contain those guilty of egregious human rights violations are especially important.

I wish to commend the Security Council for having established the two ad hoc Tribunals for the former Yugoslavia and Rwanda. I warmly welcome the adoption of the Statute of the International Criminal Court, providing jurisdiction over three core crimes of genocide,

crimes against humanity and war crimes. We must move forward now and ensure that our collective support for the establishment of an effective International Criminal Court will, through the speedy ratification of its Statute, be a significant milestone in the struggle to strengthen respect for human rights and humanitarian and refugee law.

The best protection for civilians in armed conflict is prevention. By addressing the root causes of conflict and seeking to defuse tensions, the atrocities and violations of fundamental rights committed during armed conflict can be prevented. The major building blocks for peace-building and reconciliation are good governance, the rule of law, respect for human rights, a strong civil society and institutions which can guarantee an environment conducive to stability and peace.

The Security Council has a vital role to play, both at the prevention stage and, should that fail, in the deployment of peacekeepers to minimize the impact of conflict on civilians.

After reading the Secretary-General's report and hearing his presentation of it today, nobody could any longer complain that they did not realize how bad the situation facing civilians in today's armed conflicts was. It should be our collective goal to implement the recommendations of the report and so develop enforceable mechanisms for the protection of civilians in armed conflict. This is the only way we will deliver on our promises to guarantee a life of respect, dignity and human rights for all.

Mr. Fowler (Canada) (*spoke in French*): I would first like to express my appreciation, Sir, to your Government, the Government of the Netherlands, for holding this debate. In our eight months on the Council, we have repeatedly witnessed how human rights abuses, attacks on humanitarian workers, forced displacement and other civilian suffering can have a devastating impact on international peace and security, whether in Angola, Afghanistan, Sierra Leone, the Democratic Republic of the Congo, Kosovo or now in East Timor. We, the members of the Security Council, have expressed our outrage at such attacks against civilians, but we have often come up short in ameliorating the plight of those whose lives are being ruined mercilessly.

I would like to congratulate the Secretary-General and his colleagues in the Secretariat and on the Inter-Agency Standing Committee for producing this important report. In particular I would like to thank the Office for the Coordination of Humanitarian Affairs and the United Nations High Commissioner for Human Rights for their tremendous contributions. The report clearly reveals the realities faced by ordinary people caught up in armed conflict. It builds effectively on previous analyses and reports presented to the Council and provides concrete, practical recommendations for enhancing civilian protection before, at the onset of and during armed conflict. These recommendations do not put the onus solely on combatants but rather highlight the responsibilities of the international community to improve the plight of war-affected populations. We believe these ideas must be vigorously pursued both within the Council and elsewhere.

We are pleased that the report highlights the discriminatory nature of armed conflict, focusing on how men and women suffer differently. This aspect has too often been absent from analyses presented to the Council. The report also identifies several forms of gender-based violence, in particular the dramatic increase in female-headed households in war-torn societies. It also underscores the fact that women and children comprise the vast majority of refugees and internally displaced persons. The Canadian Government would also like to take this opportunity to applaud the Secretary-General's personal commitment to this issue, a commitment evident in the many actions identified within the report for follow-up by his office.

Canada raised the protection of civilians in armed conflict as a subject for discussion during our presidency last February because of its all-too-clear salience for the Security Council. Civilians are disproportionately affected by contemporary armed conflicts. It is often a deliberate strategy of the combatants to injure and kill civilians and to force them to flee. Access to humanitarian relief for civilians is frequently denied, and humanitarian and peacekeeping personnel seeking to come to their aid and to mitigate their suffering increasingly find themselves at risk. The presence of combatants in camps for internationally and internally displaced persons only adds to the vulnerability of civilians and often destabilizes entire regions. The widespread availability of small arms, light weapons and landmines significantly heightens the risks to civilians and has devastating implications for reconstruction.

These concerns are at the heart of our efforts to enhance human security, and the role of the Security Council in this regard is paramount. The protection of civilians must be one of the primary imperatives for

collective international action. The Council has been increasingly attentive to such concerns — I would note the recent resolutions on war-affected children and on Sierra Leone as examples. This evolution is critically important and most welcome, as it clearly shows that the Council recognizes that the future will not lack for situations in which civilians are put appallingly at risk. The Council must meet these challenges directly and creatively. More vigorous efforts will be required to ensure that the Security Council has both the tools and the will to grapple effectively with these threats that afflict people and their communities, in addition to maintaining its traditional focus on the security of States.

We believe that the recommendations emerging from the excellent report before us will help to achieve the goal of keeping the protection of the most vulnerable at the forefront of the Council's agenda and, as the Secretary-General has suggested, of helping to achieve a "climate of compliance".

(*spoke in English*)

Canada strongly supports the Secretary-General's emphasis on prevention. Concerted and comprehensive efforts aimed at addressing the root causes of instability and conflict truly are the best way to enhance the protection of civilians while guaranteeing that they have reasonable development prospects. Effective prevention, of course, requires vision, commitment and the willingness to engage.

Above all, this means instilling a culture of timely and rapid response to developing crises. We support the Secretary- General's suggestion that the Council make greater use of Articles 34, 35 and 36 of the Charter, which, respectively, allow the Council to investigate any situation, allow any Member State to bring any dispute to the Council's attention, and allow the Council to recommend procedures for the peaceful settlement of disputes at any stage. We also welcome the recommendation to strengthen the relevance of Article 99, which allows the Secretary-General to bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

The Council should also contrive to see that it is provided with accurate information on deteriorating human rights situations and should become more comfortable with the concept of preventive peacekeeping operations and/or monitoring which, regrettably, are ideas that remain elusive and all too theoretical.

We welcome, as we have many times before, the call to enhance the United Nations stand-by arrangements, including the kind of rapidly deployable mission-headquarters capacity we have been advocating for five years, and which would have served us so well over the past few days as we sought to come to grips with the deteriorating situation in East Timor. Such proactive efforts by the Council could make a real difference.

We know, of course, that our world is not likely to become significantly less perilous. We must therefore be prepared to draw on a wide range of instruments and initiatives designed to enhance both legal and physical protection for civilians in situations of armed conflict.

A considerable body of international law exists to regulate the conduct of conflicts. The challenge confronting States and citizens is to promote knowledge of and respect for international humanitarian, human rights and refugee law and standards and to hold accountable those who violate them. In this regard, I welcome the Secretary-General's emphasis on the importance of training and of the dissemination of relevant information at the national, regional and international levels.

We must also bring an end to what have clearly been cultures of impunity. To do this, Member States need to adopt and implement national legislation which would make possible the prosecution of individuals who commit war crimes or grave breaches of humanitarian law, and which would provide for the handing over of such persons for trial by another State with jurisdiction, or by a duly constituted international tribunal. The Security Council should make every effort to ensure compliance with the two existing ad hoc tribunals, and, pending what we hope will soon be the establishment of a functioning International Criminal Court, the Council must stand ready to endorse the creation of further interim international arrangements to make it possible those responsible for war crimes, crimes against humanity and genocide to be held accountable.

Canada is pleased tha he Secretary-General's report highlights several gaps in existing international law that have serious ramifications for war-affected civilians and humanitarian personnel. In particular, Canada welcomes the emphasis on raising the age of recruitment and

participation in hostilities, and supports the early adoption of an optional protocol to the Convention on the Rights of the Child on the situation of children in armed conflict. Canada is also fully supportive of the Secretary-General's focus on addressing the rights and needs of internally displaced persons in situations of armed conflict, and on further strengthening the requirements for the safety and security of humanitarian personnel, including locally engaged staff.

The consistent denouncement by the Council of the use of child soldiers and of the targeting of relief workers carries significant weight and can precipitate the development of new norms. We urge our colleagues on the Council to focus attention on these matters and to declare our collective intention to pursue them vigorously both here and in other forums.

Given the types of contemporary conflicts with which the Security Council must grapple, there is one matter which is especially vexing and which requires particular attention. I am referring to the behaviour of non-State military entities. Increasingly, civilian casualties and forced displacements take place within the context of intra-State armed conflict, where the principal protagonists include irregular armies with ambiguous chains of command, and where outside economic interests often try to curry favour with belligerents out of immediate self-interest and with little regard for the humanitarian implications of their actions. How can we induce non-State actors to comply with international humanitarian and human rights law and hold them accountable for such violations? How do we compel their compliance with Security Council decisions? The non-State military include not only irregular armies and rebel groups, but also private-sector organizations and ubiquitous "security firms" whose activities can often exacerbate civilian suffering during war, as has clearly been the case for example in Liberia and Sierra Leone. We would welcome an opportunity to further explore this question, including the intriguing proposal of the Secretary-General that means be found to hold combatants financially liable in instances where civilians have been targeted deliberately.

While the international community has invested considerable attention and energy in enhancing legal protection, the means for strengthening the physical protection of civilians are less well defined and well developed. The need for the Security Council to develop the political, diplomatic, peacekeeping and enforcement measures required to tackle this aspect of civilian protection has become increasingly evident. This is true both because of the increased demand that we "do something" when gross and systematic violations of human rights and humanitarian law occur, and also because the new international security environment makes it more feasible to do so.

Clearly, we have only just begun to adapt our international management tools to these new realities, and, indeed, our mind-sets to the task of strengthening our capacity to protect masses of vulnerable people effectively. If we are serious about the need to provide better protection to civilians in situations of armed conflict, the Council, and the United Nations more generally, will have to tackle these components of the Secretary-General's report very directly, which will by no means be easy or always politically popular.

We believe that several important initiatives have been advanced in this report which merit further analysis. These include: assessing how and when peacekeeping and enforcement operations might better address civilian protection, and ensuring that their mandates are designed from the outset to facilitate this task; appointing an ombudsman for peacekeeping operations; ensuring that gender-specific and child-focused protection and assistance requirements are addressed in peacekeeping and peace-building operations; making greater use of targeted sanctions, including in situations in which humanitarian access is denied or obstructed, and establishing a permanent technical review mechanism of United Nations and regional sanctions regimes; imposing, monitoring and enforcing effective arms embargoes that will serve to interdict those categories of weapons which target and terrorize civilians and protected persons, particularly small arms and light weapons and their ammunition; examining the applicability and desirability of establishing humanitarian zones and safe corridors; and identifying the means for separating combatants and armed elements from refugee populations.

These recommendations will benefit greatly from further consultation among Security Council members, troop contributing countries, the Secretariat, United Nations operational programmes and agencies, the Red Cross and a variety of regional and subregional organizations.

We strongly support a process of detailed and thorough follow-up to the key recommendations contained in the Secretary-General's report. This is necessary if we are to flesh out some of the more challenging initiatives, in particular those which relate to physical protection.

As my delegation noted in February, the plight of civilians in situations of armed conflict is urgent, growing and global. We thank the Secretary-General for this report. It is timely, and it offers a valuable opportunity to enhance the Council's role and capacity. These issues must sustain our attention, as we have both the authority and the mandate to address them within the Security Council. And while the Council must play the lead role, other forums and many other experts both within and outside the United Nations system will also be vital to the success of this endeavour.

The President: I should like to inform the Council that I have received letters from the representatives of Israel and the Philippines, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Gold (Israel) and Mr. Mabilangan (Philippines) took the seats reserved for them at the side of the Council Chamber.

Mr. Türk (Slovenia): Let me begin by expressing our appreciation to you, Mr. President, for organizing today's open debate on the situation of civilians in armed conflict. Six months have elapsed since the Security Council held its first open debate on the subject and issued a presidential statement, under the Canadian presidency. It is timely for the Council to focus again on the plight of civilians in armed conflict. We would also like to thank the Secretary-General for his opening remarks today and for the excellent report which addresses the situation of civilians in armed conflict in a very comprehensive and effective manner. The report contains a number of concrete and useful recommendations to the Security Council, which deserve our full attention and careful consideration. We are also grateful to Mrs. Mary Robinson, the United Nations High Commissioner for Human Rights, for her remarks, and to Mr. Sergio Vieira de Mello, the Under-Secretary-General for Humanitarian Affairs, for his committed and effective work.

The recent conflicts around the world have been devastating for civilians. Deliberate attacks against civilians have become an abhorrent standard feature of many contemporary armed conflicts. The fate of children is particularly appalling. The norms of international humanitarian and human rights law that set standards for conduct in conflict situations are flagrantly violated by belligerent parties. It is therefore of the utmost importance to promote a "climate of compliance", to borrow a term used in the Secretary-General's report, and to enforce respect for existing norms of international humanitarian, human rights and refugee law. Those responsible for violations of those norms have to be brought to justice. It is a duty of all States to prevent impunity through their national systems of justice as well as through an effective International Criminal Court. The idea of holding combatants financially liable to their victims, also advocated by the Secretary-General, could be a helpful step in the direction of giving practical effect to substantive norms of humanitarian law.

The problem of civilians in armed conflict has many aspects. The legal aspect is one of them. However, the key to human security is to ensure physical rather than only legal protection. We are convinced that the current spirit of resolve in the Security Council to make progress in that direction could lead to real improvement. This is an important priority of our time.

One of the answers is in the evolution of peacekeeping. The concept of peacekeeping operations that recognizes the multidisciplinary nature of such operations is evolving. These operations are not limited only to the military component but increasingly include tasks such as civilian police activities, humanitarian assistance, disarmament and demobilization measures and human rights monitoring.

The protection of the civilian population requires action, taking into account the special needs of women, children and other vulnerable people. Access by the humanitarian organizations to the people in need is critical to ameliorating the situation of civilians in armed conflict and, indeed, to helping them survive. The work of the humanitarian organizations on the ground is indispensable. It is crucial that parties to the conflict ensure safe and unimpeded access to civilians in need and that the safety and security of humanitarian personnel is preserved. The Security Council should play a significant role in bringing pressure to bear on the parties in that regard.

It is appropriate for the members of the Security Council to continue to ask themselves what their proper role is in dealing with humanitarian problems. The report

of the Secretary-General is a useful reminder of the basic role of the Security Council in situations which generate humanitarian problems. According to the United Nations Charter, the Security Council has the primary responsibility for international peace and security. In other words, the task of the Council is to prevent military conflicts and, if they occur, to make a meaningful contribution towards their resolution. Furthermore, after the end of military conflicts the Council has a responsibility to enable transition to post-conflict peace-building.

The primacy of these essentially political purposes of the Security Council must be always borne in mind. When addressing humanitarian issues, the Council must avoid the trap of using humanitarian action as a substitute for the necessary political or military action.

We are therefore grateful to the Secretary-General for his ideas expressed in the report and for his bold approach to the issues of political and military action in cases of systematic and widespread violations of international law, especially those ideas expressed in paragraph 67 of his report. His ideas represent a real help to the Security Council. They remind us that the Council should address the difficult issues directly. In many situations hard choices are necessary and the Security Council should have a proper policy approach in addressing them. The Secretary-General has offered a basic outline of such an approach and the Security Council must study that suggestion carefully.

Today, my delegation does not wish to attempt a comprehensive elaboration of all the Secretary-General's recommendations. Instead, I wish to offer the following four comments on the question of enforcement action in cases of systematic violations of humanitarian principles, as embodied in paragraph 67 of the report before us.

First, the political, conceptual and terminological clarity needs to be assured. Moreover, it has to be recalled that enforcement action in cases of systematic and widespread violations of humanitarian law is permissible under the contemporary *lex lata*, the applicable international law. Let me, by way of illustration, remind the Council of Article VIII of the Convention on the Prevention and Punishment of Crime of Genocide, which stipulates:

> "Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in Article III."

This is an authorization which has been available to the Security Council for more than four decades.

Suppression of genocide necessarily involves the option of enforcement action, based upon appropriate and legitimate decisions of the competent organs of the international community. One of the problems in this regard has been the reluctance of States Members of the United Nations and parties to the Convention to avail themselves of this mechanism when necessary.

Secondly, the notion of enforcement action necessarily requires collective action, authorized by a competent international body, in accordance with the Charter of the United Nations. The Security Council, with its primary responsibility for the maintenance of international peace and security, has a central, albeit not necessarily exclusive, role in this context.

The Security Council must use its powers wisely and in accordance with the Charter of the United Nations. That means that it must not act prematurely or in any way in contravention of international law. However, on the other hand, the Council must not shy away from its responsibilities in the face of an emerging humanitarian disaster.

Thirdly, the Secretary-General offered five factors or, perhaps, conditions which need to be considered to determine the legitimacy of enforcement action. They range from the assessment of the scope and systematic character of the violations of international human rights and humanitarian law to the principle of proportionality of the use of force. These factors could provide useful guidance to the Security Council in its decision-making in future specific situations. The Council should aim at consistency in its practice and should use objective criteria in its decision-making. The decision of the Council and Council members, including the decisions by the permanent members who may resort to the threat or use of the veto, should be based on such objective criteria. While considerations of national interest cannot be completely excluded from decision-making, they should be restrained and not used as an impediment for the Council's action when action is legitimate and necessary. The recent experience with the preparation of resolution 1264 (1999) on the situation in East Timor demonstrates that decision-making based predominantly

on the principles of international law and the needs of the international community as a whole is possible.

Fourthly, and finally, the Security Council needs to be consistent in its practice and to refine its general policy framework without any unnecessary formalization. It should be clear that the Council is not seeking to revive the doctrines of humanitarian intervention known from earlier historical periods. On the other hand, the Council needs to uphold its responsibility under the Charter in practice, and this requires occasional resort to enforcement action.

We believe that on the basis of such an understanding and with the advantage provided by the Secretary-General's recommendations, the Council can take a significant step forward in developing its policies and practices aiming at the effective protection of civilians in armed conflicts.

Slovenia also supports the draft resolution which is before us today and will vote in its favour. We look forward to the continuation of the discussion within the Council on the Secretary-General's recommendations and on identification of the means for their effective implementation.

Mr. Fonseca (Brazil): My delegation is grateful to the Secretary-General for his comprehensive report and especially for the clear and encompassing measures he proposes for tackling the problem of the protection of civilians in armed conflict. I welcome also the presence of Mr. Vieira de Mello among us. His commitment to humanitarian causes is always inspiring.

Since the Council held its last debate on this issue, new conflicts have broken out. The aggravation of conflicts in Africa and East Timor have taken a heavy toll on the civilians caught in those situations. We commend the role of the High Commissioner for Human Rights throughout the tragic events in East Timor, and we firmly support her recommendation that the atrocities and violations of human rights committed in East Timor be investigated and punished.

According to a study quoted in the June issue of the Red Cross *Review*, civilians accounted for 5 per cent of the victims of the First World War, whereas the estimated toll for the armed conflicts of the 1990s has reached some 90 per cent. These figures are sufficient to depict the unspeakable magnitude of the human disasters to which we bear witness nowadays.

Atrocities are being committed every day in the name of religious beliefs, ethnic or national origin, and political loyalty. The humanitarian catastrophes in Kosovo, Angola and East Timor constitute telltale signs in this regard. It seems that the whole legacy of human reason has given way to a moral vacuum in which everything is permissible.

Fortunately, the Security Council's readiness to deal with this problem is evidence of the political will to change the present reality and start weaving a safety net for civilians affected by armed conflict, especially the most vulnerable groups, such as children, women and the elderly.

Since the presidential statement of 12 February 1999 concerning the protection of civilians, the Security Council has grappled with other related matters, particularly the question of humanitarian assistance to refugees in Africa and the plight of children affected by armed conflict.

The Security Council can and must contribute to the effort of promoting a climate of compliance, that is, to halt flagrant and grave violations of universally accepted international humanitarian and human rights law. The imperative of ensuring that humanitarian relief is safely provided as a collective responsibility should not automatically imply the involvement of the Security Council in these matters. There are situations of massive abuses that may pose real threats to international peace and security. In those cases, the option of enforcement action should not be ruled out. The contribution made by Ambassador Türk in his statement towards clarifying a very difficult problem was extremely relevant and, I think, should be considered by all of us.

Apart from the goal of alleviating the suffering of civilians in armed conflicts, we should bear in mind that lasting peace hinges very much on preventive measures. I do not refer here to prevention as part of a shortsighted security approach, but to the construction of solid pillars for a pacified society through cooperation for development, poverty eradication, and the strengthening of the rule of law. As a matter of fact, the fundamental objective of the United Nations is to prevent conflicts from breaking out rather than tackling their effects.

With regard to the issues touched upon by the Secretary-General in his report, I would like to highlight

four aspects that have to do with the work of the Security Council under Chapter VII of the United Nations Charter.

First, it is fundamental to maintain the momentum created by the note by the President of the Security Council of 29 January 1999 on the work of the sanctions Committees. Secondly, together with the assessment of the impact of sanctions regimes, the Security Council must consider applying humanitarian exemptions, as appropriate, to measures adopted under Article 41 of the United Nations Charter. Thirdly, priority should be given to the development of so-called targeted or smart sanctions, so as to penalize those directly responsible for wrongdoing rather than aggravating the hardship facing the population as a whole. Finally, the Security Council must set up reliable mechanisms with a view to monitoring the flow of weapons to regions torn by armed conflicts. Those who violate multilaterally negotiated and Security Council-mandated arms embargoes should be held accountable for the use of such weapons.

The 40 recommendations submitted by the Secretary-General must be borne in mind, but at this stage it would be useful to focus on those capable of galvanizing immediate consensus. The aspects I have just stressed could be a good starting-point.

The success of our efforts depends on integrating the contribution of the Security Council in a broader framework in which other branches of the United Nations system and the States concerned have an equally central role to play.

The complex nature of the challenges before us should not be cause for despair. The abhorrent images of civilians targeted in armed conflicts should not dash our hopes for an era of compliance. Those images remind us that our differences with others are less important than our shared capacity to experience pain and suffering. It is that shared capacity that provides the moral basis for taking joint measures to protect civilians from the ravaging consequences of armed conflicts.

The President: I should like to inform the Council that in view of the weather conditions and their effects, especially on public transport, it is my intention to continue this meeting for another hour or so and then suspend it until tomorrow at 10 a.m.

Mr. Holbrooke (United States of America): In the light of what you have just announced, Mr. President, and in order to allow the maximum number of speakers today, I will shorten my statement so that more representatives can speak, because of the enormous importance of this subject.

In a certain ironic sense, it is a pleasure — or, to be more precise, at least a privilege — to represent my nation before this body on this terrible issue. It is fitting that we discuss it on a day when over 7,000 United Nations peacekeepers are on their way to East Timor. With the Security Council's swift and decisive action, the Council, this historic body in this historic room, has shown the important role the United Nations can and must play to help protect civilians. Unfortunately, East Timor is only the most recent example, and it certainly will not be the last.

I have personally witnessed the price civilians pay in conflicts on three continents over my career in government over the last 37 years. In Viet Nam, Cambodia, Bosnia, Kosovo and Africa, I have seen the impact warfare has on innocent civilians. I have seen bicycles in Cambodia manufactured specifically for people with only one limb, as well as other unspeakable consequences of warfare on civilians. The deliberate terrorizing of civilians — a phenomenon that is not new in history, but has been perfected in this terrible century — has added a new and invidious phrase to our vernacular: ethnic cleansing.

For nearly two centuries, individuals have tried to design institutions and support principles to temper the effects of warfare on civilians — from Jean Henri Dunant, the visionary Genevan who was instrumental in creating the International Committee of the Red Cross (ICRC) in 1863 after he had seen the horrors of the Crimean war, to my friend, Fred Cuny, who lost his life in Chechnya in pursuit of his lifelong goals.

There can be no denying that war is hell. It always will be hell, but even war has had a code. There is a terrible sense that, during this terrible century, that code, such as it was, has almost completely disappeared and that, to many people today, civilians are no different than professional combatants. The statistics are dramatic. The percentage of civilians casualties as a percentage of total casualties in war has risen from 10 per cent to 90 per cent from the First World War to today. It is our duty to confront this reality and do everything we can to prevent or minimize it.

Increasingly, civilians — including humanitarian workers — are not just random, incidental victims of

conflict, but targets of it, as we have seen in Chechnya, in Rwanda, in Bosnia and in Cambodia. The Secretary-General has noted that women and children are disproportionately represented among civilians affected by conflict, and he is so right. We have seen this graphically in the former Yugoslavia, where rape became a tactic of war. I have talked to the victims and to their husbands and wives and sons and fathers. It is terrible to see.

All of us must work together to find ways to halt these trends. This meeting is an important but wholly inadequate step towards this goal. We in the United States support the Council's desire to respond, in accordance with the United Nations Charter, to these situations. Let me reaffirm the four principles we believe the Council should focus on.

First, all States must comply strictly with their obligations under international law. Secondly, the international community needs to assist and protect civilian populations affected by armed conflict. Thirdly, all parties concerned must ensure the safety of civilians and guarantee the unimpeded and safe access of United Nations and other humanitarian personnel to those in need. Fourthly, individuals, who commit grave offences under international humanitarian and human rights law should be brought to justice — a point that I am very pleased the Secretary-General and Mary Robinson both raised in regard to the current crisis in East Timor. We should pay very close attention, as we proceed, to what substance we give to that very brave and early warning. I congratulate the Secretary-General for being the first public official, to my knowledge, to raise this issue.

The Secretary-General has made some wise and far-ranging recommendations. Let me briefly address them.

We concur that, at the outset of any conflict, the Council should underscore the importance of humanitarian assistance to civilian populations. It is imperative for concerned parties to cooperate fully with the United Nations humanitarian coordinator in providing access. This must be done in accordance with the principles of humanity, neutrality and impartiality. We believe that failure to comply should result in the imposition of targeted sanctions.

Secondly, the United States also supports using sanctions as a possible method to deter and contain those who commit violations of international humanitarian and human rights law, as well as those parties to conflicts which continually defy Security Council resolutions. The sanctions committees should convene periodic meetings and the Council should monitor the humanitarian impact of sanctions on vulnerable groups and make required adjustments of the exemption mechanisms to facilitate the delivery of humanitarian assistance.

Thirdly, my Government also supports the consideration of arms embargoes in situations where civilians and protected persons are targeted by the parties to the conflict or where the parties are known to commit systematic and widespread violations of international law.

Finally, my Government supports the recommendation that the Council act to strengthen the United Nations capacity to plan and deploy more rapidly military and civilian police personnel, as well as to consider deployment in certain cases of a preventive peacekeeping operation. This includes steps to improve the security situation in camps for refugees and internally displaced persons and to help ensure the demilitarization and depoliticization of these camps.

I would also like to reiterate the position of my Government on the following issues addressed by the Secretary-General. Regarding anti-personnel landmines, the United States is committed to ending once and for all the worldwide scourge caused by these terrible devices and their like. Too many innocent people fall victim to these indiscriminate killers, which are often left behind after the wars end and the soldiers go home. My Government will therefore continue to support worldwide humanitarian demining efforts and work towards a global ban on anti-personnel landmines in the Conference on Disarmament in Geneva. Similarly, we also support the amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices to the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects as an important initiative to provide humanitarian protection for civilians and protected people.

Regarding the acute tragedy of children in armed conflict, the United States firmly supports the principles contained in the Convention on the Rights of the Child. The International Labour Organization Convention on the Worst Forms of Child Labour and the recently adopted Security Council resolution on children and armed conflict both contain the right standard for addressing the issue of child soldiers.

Regarding the International Criminal Court, the United States has supported such a concept. We have been in the forefront of international efforts to hold accountable those responsible for war crimes and crimes against humanity. We have worked hard to strengthen the international war crimes Tribunals for the former Yugoslavia and Rwanda. I personally have worked closely with both Richard Goldstone and Louise Arbour on these issues and have stood firmly, as has Secretary of State Albright, for maximum support of these specific war crimes Tribunals in the absence of anything more global.

However, My Government believes that the Rome Treaty contains flaws that require correction. Working together, we need to correct such flaws and broaden the effectiveness and acceptance of such a treaty. This would result in strengthening the Statute and ensuring full support by all States, including the United States. Again, for the second time, I wish to draw everyone's attention to what the Secretary-General and Mary Robinson have said regarding East Timor on this subject.

In closing, it is important to recognize all of the hard work of Canada in focusing the attention of the Security Council on this issue and to thank the Secretary-General for his excellent report. I commend our friends in Canada for their sustained effort on this and so many other issues and look forward to working closely with Ambassador Fowler and his colleagues. I hope the Council's focus will strengthen international interest in this issue.

Finally, we are deeply grateful to the ICRC for convening its third Humanitarian Forum last May, a gathering that focused on this topic. Such efforts are indispensable in complementing the actions of the Security Council.

Once again, the United States welcomes the Security Council's attention to this topic and is grateful for the Secretary-General's hard work on it. As a personal observer for most of my career of the consequences of the issue we have talked about, I cannot tell you how strongly I feel personally on this and, representing my Government on this subject for the first time, I want to stress how much we look forward to hearing what all the speakers here think and working with them to turn rhetoric into reality.

Mr. Andjaba (Namibia): We all recognize that conflict, wherever it erupts, has a tremendous impact on civilians, who are nowadays the first and principal targets. Women and children, the elderly, the sick and refugees are attacked in large numbers and continue to be methodically forced from their homes, in search of safety. We condemn acts of violence against civilians in the strongest terms. Perpetrators of such crimes must be held accountable. We support making perpetrators financially liable to victims, and the establishment of machinery to that end.

We welcome the very important report of the Secretary-General on the protection of civilians in armed conflict and the bold recommendations contained therein. We believe that the recommendations deserve thorough consideration by the Security Council. We will thus only highlight a few salient points and look forward to participating in the working mechanism that will be established for this purpose.

Just three and a half weeks ago, on 25 August 1999, in this very same Chamber, the Security Council adopted resolution 1261 (1999) on children and armed conflict. Our position on children and armed conflict was well reflected at that meeting and I will therefore avoid unnecessary repetition. Here, I would just reiterate our call for the minimum age for recruitment and participation in hostilities to be raised to 18 years.

The continued deliberate targeting of non-combatants, in violation of international law, remains an unacceptable phenomenon. We are particularly concerned about women and girls, who are vulnerable to gender-based violence and sexual exploitation, including rape and prostitution. Such violations of international humanitarian, human rights and refugee law cannot be condoned and should not be allowed to go unpunished.

We cannot over-emphasize the importance of guaranteeing the safety and security of humanitarian personnel. Namibia is currently in the process of ratifying the Convention on the Safety of United Nations and Associated Personnel. In addition, parties to conflicts must allow unhindered access of humanitarian workers to people affected by conflicts. Failure to allow unhindered access is a serious violation of humanitarian law and is completely unacceptable.

Civilians continue to be killed and maimed by the hundreds of landmines planted in previous and current conflict zones in many parts of the world. Namibia remains committed to the implementation of the Ottawa Convention, and we join the Secretary-General in calling upon States that have not already done so to sign and ratify the Ottawa Convention.

In discharging its mandate of maintaining international peace and security, the Security Council must bear the responsibility of preventing military conflicts and contributing to their resolution. The Council should work to prevent conflicts by placing emphasis on preventive measures and early-warning systems, which should include education on human rights and on the principles of humanitarian law and strict compliance therewith. The root causes of the conflicts, namely, poverty and underdevelopment, must be addressed.

We continue to believe that the uncontrolled flow of small arms and all types of sophisticated arms into areas of conflict needs to be addressed. It is unfortunate that some arms-producing countries have made Africa their dumping ground at the expense of Africans. We renew our call to all arms-producing countries not to transfer anti-personnel landmines and other arms to regions where armed conflict is imminent.

The draft resolution that we will adopt at the end of this debate addresses the wider impact of armed conflict on civilians. Namibia is in full support of the draft resolution and hopes that its adoption will ultimately contribute to the alleviation of the plight of civilians in armed conflict. In this connection, we commend the delegation of Canada for this timely initiative.

The Secretary-General has done his part and we are most grateful to him. It is now up to the Security Council to make good use of the recommendations contained in his report and to ensure that appropriate action is effected to address the plight of civilians in armed conflict.

Mrs. Martínez Ríos (Argentina) *(spoke in Spanish)*: We would like to thank the Secretary-General for his words and for his excellent report on the protection of civilians in armed conflict. We very much appreciate this report and its recommendations to improve the legal and physical protection of civilian populations. Those recommendations rightly deserve to be the subject of a thorough discussion in the Council. The time has come to channel our worry into action. To that end, the report of the Secretary-General provides an excellent point of departure.

The report paints a stark image of the realities that civilian populations must face in situations of armed conflict. The violence affecting vulnerable groups in particular and the attacks on humanitarian and peacekeeping staff reveal the magnitude of violence that combatants are prepared to use in conflict zones. The conclusion that the protective emblems of the Red Cross and the Red Crescent and of the United Nations flag appear to provide less protection than ever is particularly alarming. The assault upon and the looting of the United Nations Mission in East Timor (UNAMET) complex at Dili is the most recent unfortunate example of this worrisome trend. The diagnosis is discouraging and the challenge to be confronted by the international community in general and the Security Council in particular is enormous.

In the area of legal protection the international community has laid down several important instruments to protect civilians. International humanitarian law has gradually taken into account the need to emphasize the protection of civilians. Many of the norms to impose limits on the carrying out of hostilities and to protect innocent persons have been couched in universally recognized principles and norms.

It is clear that despite certain limitations we generally have an adequate body of norms. This is why we should focus our efforts on reducing the abysmal gap that exists between the very high level of development in legal norms and the very low degree of respect for those norms. Bridging this gap between the existence of law and the respect for it calls for action on three levels.

First, States must recognize that under the Geneva Conventions they have the primary responsibility for respecting and ensuring respect for international humanitarian law under all circumstances. We must join with the International Committee of the Red Cross in its tireless efforts to promote the dissemination and understanding of the norms applicable to conflict situations.

Secondly, it is essential to create adequate national and international mechanisms to deal with impunity. Justice is an indispensable component of a stable peace, as the Security Council has repeatedly recognized in addressing recent conflicts. In Angola, Kosovo, Sierra Leone and now East Timor the Council has emphasized the essential link between peace and justice in highlighting the need to properly investigate the crimes that have been committed and to prosecute those responsible for them.

To deal with impunity, States must have sufficient domestic law to ensure the investigation of violations and the prosecution of those responsible for them. When national systems cannot function properly, however, appropriate international machinery should be set up. The

Council has created two special criminal tribunals that are now fully operative and with which States have been required to fully comply. We must also ensure the speedy implementation of the International Criminal Court.

Thirdly, we must encourage all States to ratify and participate in the principal instruments that protect international law. In this regard we are pleased to announce that on 14 September our country ratified the Ottawa Convention on anti-personnel landmines.

In addition we must emphasize the importance of the 1994 Convention on the Safety of United Nations and Associated Personnel. In these days when we are learning that the United Nations flag affords less and less protection, this Convention becomes increasingly important. Its rapid ratification must be urged so that we can ensure universal participation. We must particularly urge participation by those countries in which multinational forces are stationed.

The mention of this Convention leads us to note several important legal shortcomings to which the report of the Secretary-General calls attention.

On various occasions our delegation has noted that the 1994 Convention on the Safety of United Nations and Associated Personnel does not apply to all the people and organizations present in conflict zones, and therefore it is necessary to expand the applicability of this instrument. We note with satisfaction that the Secretary-General echoes this concern, calling on the General Assembly to urgently undertake the drafting of a protocol to the 1994 Convention.

Children are the most vulnerable group in civilian populations. This was recognized by the Security Council in the adoption of a resolution on this problem less than a month ago. We support in particular the initiative contained in the Secretary-General's report of raising — by means of an additional protocol to the Convention on the Rights of the Child — the minimum age for recruitment and for participation in conflicts to 18 years.

With regard to physical protection of civilian populations, the Secretary-General's report proposes a wide-ranging set of measures that affect various Security Council areas of action, including sanctions regimes; confidence-building measures; rapid-deployment of peacekeeping operations; disarmament, demobilization and reintegration of ex-combatants; embargoes on and destruction of weapons, particularly small arms and light weapons; humanitarian access; and special measures for women and children. This is perhaps not the moment to refer to each one of these measures, but we reiterate that these proposals should be thoroughly studied.

We agree entirely with the premise underlying many of these measures: that in the twenty-first century the United Nations should increasingly become a source of preventive measures.

Prevention of conflict calls for urgent and decisive measures in the initial phases. Responsibility for implementing many of these measures is the exclusive purview of this Council. Other measures, such as those that involve aid for development and humanitarian assistance, require coordinated action with other bodies, both within and outside the United Nations system. Cooperation and consultation among all bodies and agencies is essential, but visible and dynamic leadership on the part of the Council is indispensable.

Sir Jeremy Greenstock (United Kingdom): I shall give the short version of my speech and would ask delegations to report the distributed version.

I warmly welcome this debate, inspired by our Canadian friends, and the Secretary-General's excellent and thought-provoking report. They could hardly be more timely. I cannot imagine a more accurate account of a typical situation the Council is called upon to deal with than the following passage in paragraph 8 of the Secretary-General's report:

> "civilian casualties and the destruction of civilian infrastructure are not simply byproducts of war, but the consequence of the deliberate targeting of non-combatants. The violence is frequently perpetrated by non-state actors, including irregular forces and privately financed militias. In many conflicts, belligerents target civilians in order to expel or eradicate segments of the population, or for the purpose of hastening military surrender."

The Security Council Mission to East Timor can say a thing or two about the pertinence of that description.

The United Kingdom will participate actively and imaginatively in follow-up work to the Secretary-General's report. Our support for the draft resolution before us today is only the beginning of that process.

The Secretary-General is right to focus on efforts to increase observance and awareness of international humanitarian and human rights law. Better implementation of the legal framework that exists is critical, not more law. Better and more effective ways to address impunity are also a crucial part of this effort. The United Kingdom will continue to support all efforts to ensure that war crimes, crimes against humanity and genocide are punished. This means not only support for ad hoc international tribunals and for the future work of the International Criminal Court, but action to deal with States that do not cooperate with them.

Turning to the Secretary-General's practical suggestions for improving protection of civilians caught up in armed conflict, I would like to highlight three areas with direct relevance for Security Council action.

The first area is the ready availability of small arms, particularly to non-state actors. Member States have a key role in controlling this flow, but the Council can act too. It must continue to be ready to impose arms embargoes where appropriate, and it should, as the Secretary-General proposes, ensure that all United Nations peacekeeping deployments include effective weapons-collection and destruction programmes.

Secondly, as regards the mandates the Council gives its operations, the Council should not shy away — as perhaps we have done in the past — from more robust mandates if a force needs to act in enforcement mode, for example to protect civilians. There are risks inherent in the deployment of operations on the ground in hostile and unstable situations, and we should be ready to face them. We cannot expect to make a difference on the ground otherwise. Remember "safe areas".

The third area is the capacity of the United Nations for rapid peacekeeping deployment. The United Nations has no troops of its own. The Department of Peacekeeping Operations cannot be expected to mount a United Nations operation within a matter of days even when civilians are under the gravest threat. That is why this week we have used the option of a multinational force. But United Nations rapid reaction and planning capabilities have to be improved. The United Kingdom and France together signed a memorandum of understanding in June on the forces we were ready to commit to the United Nations at short notice. We urge others to do the same.

Timely action is also preventive action. The more the Security Council is seen to act swiftly, boldly and decisively when civilians are under armed attack, when humanitarian access is deliberately denied and when basic human rights are violated, the more effectively we shall prevent such abuses from taking place in the future.

It has thus been heartening to see the Council exercise a variety of its powers in a timely, proportionate and effective response to events in East Timor. From its initial statements stressing the concern of the international community, to a high-profile mission to Jakarta and Dili and now a Chapter-VII resolution authorizing a multinational force, the Council has demonstrated an ability to respond swiftly where international peace and security are threatened and where the rights of civilians are subjected to massive abuse. Our task is not over: we must continue our work with the Indonesians to ensure the safety of returning civilian refugees and access for humanitarian aid in East and West Timor.

The United Kingdom warmly welcomes the focus in the Secretary-General's report on the issue of enforcement action in the face of massive and ongoing abuses of human rights or of international humanitarian law. The nature of modern conflict — chaotic, internecine and brutal — challenges the Council to reinterpret its mandate to maintain international peace and security in terms of the threat to the security and survival of populations as much as of States. In his report, the Secretary-General rightly stresses that when we are faced by massive human rights abuses, enforcement action must become an option for consideration. We believe that there is now a need to build up consensus within the Council and across the wider United Nations membership on when and how we should respond to such affronts to our shared values. The factors which the Secretary-General has proposed that the Security Council should take into account in considering enforcement action are an important contribution to the debate. We welcome them as a basis for early further discussions in the Council.

Mr. Dejammet (France) (*spoke in French*): I wish at the outset to thank you, Mr. President, for including this item on our agenda and for convening this open debate on the welcome initiative of Canada. I wish also to thank the Secretary-General and Mrs. Mary Robinson for their presence here today and for their statements, which attest to the timeliness of our concerns.

The item before us is now at the very heart of the mandate of the Security Council. It is necessary only to recall our recent debate on Timor to evoke the violence against civilian populations perpetrated in East Timor.

But we must also recall, this time with satisfaction, the Council's speedy and unanimous reaction in deciding, in order to address the protection of the civilian population, to authorize a multinational force to restore peace and security and to put an end to the violence.

We also recall other, no less serious, conflicts elsewhere in the world, such as those in Afghanistan, Angola and the Great Lakes region of Africa, where civilians are also the principal victims. One example is provided by the team from the Office of the United Nations High Commissioner for Refugees (UNHCR) that visited the Democratic Republic of the Congo, which stated yesterday that the conflict there had uprooted nearly a million individuals, who have become refugees or displaced persons. Here again, the Council must act and must shoulder its responsibilities.

There is no need to repeat what others have said about the changing nature of armed conflict and about the fact that a majority of its victims are now civilians. Combatants, of course, fight one another, but not only one another: they also attack defenceless populations in violation of international law and the fundamental principles of humanitarian law. This is a strategy of terror that spares no person and no area, a strategy of all-out war. And all-out war requires a global response, as rightly proposed by the Secretary-General in his welcome report to the Council.

We must thoroughly consider all the ways and means available to us to respond to these threats, beginning with prevention. This can mean the rapid deployment of preventive peacekeeping operations with a view to preventing the deterioration of a situation by which the civilian population could quickly be affected.

I note with interest the Secretary-General's proposal that Security Council working groups relating to volatile situations be established, making use of all the analytical resources of the United Nations, and especially of the human rights information and analysis emanating from independent experts.

Prevention involves scrupulous respect for human rights and democratic norms. The international community must also disseminate information about the principles of international law with a view to creating a climate of respect for those norms that will protect the rights of civilian populations.

Prevention, then, must come first, but later, when we see a threat to the civilian population, we must punish the perpetrators. We must therefore give high priority to the fight against impunity. Here, we note a welcome development in the sphere of international law: the establishment of two international criminal tribunals. The Security Council has certain legal means at its disposal — when the political will exists. It also has all the tools of the Charter to pursue the guilty and to cause them to change their behaviour, through the use of sanctions — which, however, must be carefully targeted and proportionate, so that they will not harm civilian populations.

This year, the Security Council has already taken up the question of the protection of humanitarian personnel, and has reaffirmed its collective responsibility to guarantee the safety and security of such personnel. In this respect, too, principles and declarations exist. But they can be translated into fact only though our unrelenting vigilance. I am thinking about the action that the Secretariat takes when it must respond quickly to problems in certain crisis areas when the security or freedom of movement of humanitarian personnel is at stake. We can all recall the action that the Secretariat had to take in crisis regions in Europe, as well as in Afghanistan.

As the Secretary-General has recommended, we must therefore forge a global and coordinated approach. When the deployment of a peacekeeping operation is envisaged, all aspects that can help protect the civilian population must be considered: the establishment of a civilian police force, humanitarian assistance, disarmament, demobilization and measures to provide work for people who have been demobilized. As the report of the Secretary-General recommends, it is essential to have a multidisciplinary and integrated approach to these problems.

The Security Council has already adopted a resolution on the protection of children in armed conflict which contains a number of commitments that we must constantly ensure are properly implemented. A draft resolution on the protection of civilian populations is before us today, and we fully support it. However, France is willing to continue to give full consideration to the recommendations that the Secretary-General has put to us with a view to finding effective ways to ensure such protection for civilian populations.

Mr. Hasmy (Malaysia): I should like to extend my delegation's sincere appreciation to the Netherlands and to you, Sir, for organizing this open meeting of the Security Council on the question of the protection of civilians in armed conflict, which is a useful follow-up to the Canadian initiative in February this year. My delegation also wishes to extend its deep appreciation to the Secretary-General for his presentation this morning and welcomes his comprehensive report of 8 September 1999, including the excellent recommendations contained therein. I would also like to thank Mrs. Mary Robinson, the United Nations High Commissioner for Human Rights, for her comprehensive, passionate and enlightening statement.

Internal armed conflicts constitute most of the conflicts which now come before the Security Council. In many, if not all, of these conflicts, civilians are the first and principal target. Women, children, the elderly, the sick, refugees and internally displaced persons have been attacked in large numbers and driven from their homes. The protection of civilians has become more difficult because the dividing line between non-combatants and combatants, and between peacekeepers and humanitarian personnel, is often blurred. The sufferings inflicted upon civilians can be particularly great when the perpetrators of the attacks act without much control because of weak chains of command, or when their actions are driven by ethnic factors and are designed to eliminate the target ethnic group. The problem is further exacerbated by the eventual collapse of the rule of law in a number of conflict situations.

Today's meeting reaffirms the imperative of strict compliance with international humanitarian law on the part of those involved in violent conflicts. My delegation condemns in the strongest terms these acts of violence against civilians. The deliberate attacks and acts of violence perpetrated by combatants against hapless civilian populations are a clear and blatant violation of the principles of international law, including humanitarian and human rights law. The perpetrators of these heinous crimes must not be allowed to get away with impunity. Without doubt, States have the primary responsibility in prosecuting the perpetrators through their national justice system or, whenever and wherever appropriate, the relevant international criminal tribunals. Until a global enforcement mechanism is in place to address these crimes, ad hoc tribunals may be required as and whenever necessary.

There has been a disturbing increase in the number and scale of direct and calculated attacks against humanitarian and United Nations personnel in the field. We condemn in the strongest terms these attacks on humanitarian workers. The security and safety of humanitarian missions is of paramount importance, especially in highly volatile and extremely dangerous conflict areas. The Council has an obligation ensure that they are able to carry out their missions in responding to the needs of civilians in armed conflict who should have unimpeded access to humanitarian assistance. While proper training about the real situation and risks on the ground would better equip humanitarian personnel to handle risky situations in their mission areas, this does not absolve the combatants of their own obligations and responsibilities with regard to humanitarian workers who perform their noble tasks in the name of humanity. My delegation stated on an earlier occasion that it would be fitting for the United Nations to pay tribute to the courage and sacrifices of these humanitarian workers as it honours the Blue Helmets.

My delegation agrees with the Secretary-General that the widespread availability and use of small arms, light weapons and anti-personnel landmines have had a significant impact on the scope and level of the violence that affects civilian populations in armed conflict. Small arms have been and continue to be the primary tools of violence in most of the recent armed conflicts around the world. Since they are easily available and cheap, require little maintenance and little training to use, small arms can be used for long periods and thus affect the duration of conflict. Small arms encourage a violent rather than peaceful resolution of differences.

We must redouble our efforts to curb illicit trafficking in weapons and support the global efforts towards the implementation of the Ottawa Convention on anti-personnel landmines. Anti-personnel landmines kill and maim not only combatants but, more often, innocent civilians years after the combatants have left the scene of conflict. They continue to pose a serious threat to the safety of civilian populations. My delegation therefore supports the imposition of arms embargoes in situations where civilians and protected persons are deliberately targeted by the parties to the conflict.

The issue of children in armed conflict, which was highlighted in an open Council meeting under the presidency of Namibia last month, deserves the serious attention of the international community in its own right. This was reflected in the Council's resolution last month. We cannot ignore the issue of children who become victims of armed conflict, either as instruments of war or because they are caught up in the traumas and upheavals

of conflict. As a signatory to the 1989 Convention on the Rights of the Child, Malaysia calls upon the remaining few countries that have not signed or ratified the Convention to do so.

We strongly support the Optional Protocol to the Convention, which calls for a minimum age of 18 for recruitment and participation in hostilities. However, my delegation recognizes the additional complication derived from the fact that the involvement of most child soldiers in armed conflict takes place within the ranks of non-State armed groups, where the line of command and responsibility is often opaque. Bearing this in mind, Malaysia strongly advocates that specific measures for the disarmament, demobilization and reintegration of ex-combatants, with special attention given to child soldiers, be included in peace agreements and, where appropriate, in the mandates of United Nations peacekeeping missions. The elements of disarmament, demobilization and reintegration must be a top priority in any United Nations peacekeeping and peace-building operation.

When the Security Council takes decisions to resort to the use of sanctions and, ultimately, military force for the protection of civilian populations, there is a need to give careful thought to their effectiveness and their negative consequences on the civilian population — the very population it is setting out to protect. The imposition of Article 41 of the Charter and the use of coercive action under Chapter VII should be adopted as a mechanism of last resort.

Given the nature and scope of the matter, there is a general recognition of the need for a comprehensive and integrated approach to handling crises, bringing together political, humanitarian, development and human rights actors within an agreed framework of action. Malaysia is favourably disposed towards strengthening the Council's cooperation and coordination with the General Assembly, the Economic and Social Council and other relevant United Nations organs. The Organization would also greatly benefit from closer cooperation and coordination beyond the United Nations system with regional organizations, bilateral actors, Government and non-State actors as well as civil society, including internationally recognized non-governmental organizations and the private sector.

My delegation supports the draft resolution on the protection of civilians in armed conflict that is before the Council. We believe the draft resolution contains all of the necessary elements to address the issue. We strongly support the immediate establishment of an appropriate mechanism to review further the recommendations contained in the report and to consider appropriate steps in the near future.

Mr. Jagne (Gambia): My delegation would like to pay tribute to you, Mr. President, for according such a high priority to the subject under consideration by the Security Council today. In recent times, the Council has devoted a considerable amount of time to the question of civilians in armed conflict and other related issues. My delegation is also grateful to the Secretary-General for his comprehensive report on the matter.

Over the years, the number of civilians affected by conflicts has been increasing dramatically. The statistics available to us are really frightening. Furthermore, it is now well-known that civilians are increasingly becoming the deliberate targets of combatants, and children, women and other vulnerable groups bear the brunt of this growing insanity. In a nutshell, they are the victims of all sorts of atrocities, ranging from rape to mutilation and massacre.

Notwithstanding the plethora of international legal instruments designed to protect civilians in situations of armed conflict, it would appear that civilians caught in such situations are more vulnerable today than ever before. Clearly, therefore, these important international legal instruments are more honoured in their breach than in their observance, thus the pressing need to urge Member States and non-State actors alike to redouble their efforts in order to reverse the trend. It goes without saying that the implementation of said instruments is the key to success in our efforts to improve the situation. Life would be much easier for Member States if only they would make the best use of the technical services offered by the United Nations and, indeed, other relevant organizations.

There is no need to attempt to belabour all the points raised in the Secretary-General's report on the protection of civilians in armed conflict. He has covered them very well, including the attendant problems, and has made recommendations. We agree with him that it would be important to establish an agreed mechanism and timetable for follow-up and review. That is the way forward.

Having said that, my delegation is of the view that, while efforts are being made to improve the protection of civilians in armed conflict, the issue of impunity should

be given added importance. The international community must ensure that perpetrators of war crimes and violators of international humanitarian and human rights law are held accountable. In this connection, we reiterate our support for the establishment of international ad hoc tribunals, as and when necessary, to prosecute war criminals.

In this context, we commend the excellent job being done by both the Rwanda and former Yugoslavia Tribunals. These two institutions constitute beacons of hope in the crusade against the culture of impunity.

There is no doubt that there is adequate legal protection for civilians in armed conflict. Attention should therefore be directed to physical protection. The Security Council should therefore devote its energies in this direction.

In an earlier statement, we made reference to the old saying that prevention is better than cure. That is why we believe that greater attention should be given to conflict prevention by addressing, first and foremost, the root causes of conflict in an integrated and comprehensive manner. Otherwise we fear very much that the vicious circle of the recurrence of conflicts will continue for a very long time and that in the process innocent civilians will continue correspondingly to pay a heavy price.

The Secretary-General has done his part, for which we are grateful. The recommendations contained in his report require extensive and careful consideration. He has identified important mechanisms and measures which can help us in our efforts. The ball is now in our court. Since this is what the draft resolution under consideration attempts to do, my delegation will vote in its favour.

Mr. Chen Xu (China): The Chinese delegation welcomes the report submitted to the Security Council by the Secretary-General on the protection of civilians in armed conflict and thanks the Secretary-General for his presentation just now. We would also like to take this opportunity to express our appreciation to you, Mr. President, and to the delegation of the Netherlands for arranging this open debate.

The protection of civilians in armed conflict has always been of concern to Governments around the world and to the relevant bodies of the United Nations. In too many places around the world, armed conflicts are still raging that not only endanger world peace and security and undermine regional development and stability, but also inflict terrible suffering on the civilians caught up in them. Vulnerable groups, including women and children, suffer the most in armed conflicts.

We have noted with satisfaction that the report by the Secretary-General draws a detailed picture of the misery of civilians in armed conflict, the grave dangers they face and the potential impact on regional security and stability. The report also contains an incisive analysis on the protection of civilians in armed conflict from many different perspectives — political, legal, humanitarian, disarmament and peacekeeping — and puts forward a number of bold, creative and enlightening recommendations. We are of the view that these recommendations deserve a careful study and in-depth discussion in the Council. We are in favour of implementing some of those recommendations, where feasible.

The fundamental way to protect civilians in armed conflict is to effectively prevent and do away with conflict. This bears on the survival and development of civilians in armed conflict as well as on regional and international peace and stability. It is an important and pressing task facing the international community, especially the United Nations. The Security Council, which bears primary responsibility for international peace and stability, has an unshirkable duty in this area. We strongly oppose military actions in circumvention of the Security Council that may result in conflict on an even larger scale. We believe that the Council should continue its active efforts to put an early end to conflicts and defusing crises, for that is the contribution it should make to the protection of civilians in armed conflict.

China believes at the same time that the international community should take further steps to eradicate the root cause of armed conflicts by helping countries concerned in poverty eradication, economic development, national reconciliation and the maintenance of national stability. In this sense, the issue of protecting civilians in armed conflict cuts across the political, humanitarian, development and assistance fields and would thus be more appropriately and more thoroughly deliberated in the General Assembly and the Economic and Social Council. We are in favour of strengthening cooperation and coordination between the Security Council and other United Nations bodies, but we also believe that the various bodies of the United Nations system should have a distinct division of work and operate accordingly. If the Security Council were to become overly involved in issues, such as human rights, which fall under the purview of other United Nations bodies, its attention to

peace and security issues would be diverted and the work of those other United Nations bodies unduly affected.

While the issue of the protection of civilians in armed conflicts is under discussion, another issue that naturally comes to mind is that of humanitarian assistance. We are of the view that no matter when and where armed conflict breaks out, the international community should urge the parties concerned to put an early end to the conflict through peaceful means; strictly abide by international law, including international humanitarian and human rights law; make every possible effort to protect and assist civilians in armed conflict; and prevent and prohibit acts of violence against civilians in armed conflict or the blockage of humanitarian assistance to civilians.

We call on the international community to discard double standards in the humanitarian sphere and to give equal attention to acts of violence against civilians in armed conflicts around the world, rather than take a selective approach.

In recent years, destabilizing factors have refused to abate in Africa. Regional conflicts and turbulence continually emerge. The crises in some countries even show signs of getting worse. The African people have gone through unimaginable sufferings. It is high time for the international community to take the necessary measures to support the efforts of African countries and regional organizations to resolve the conflicts and to provide concrete and meaningful assistance to get African civilians out of harm's way in armed conflicts.

The Chinese Government has always paid great attention to the issue of protecting civilians in armed conflict. China has always been actively involved in the deliberations of this issue in the General Assembly and other United Nations bodies concerned. We support the adoption of a council resolution based on the presidential statement issued by the Council in February this year and will vote in favour of the draft resolution before us.

The President: I thank the representative of China for the kind words he addressed to me.

Mr Lavrov (Russian Federation) (*spoke in Russian*): The question of protecting civilians in armed conflict has become increasingly relevant. Despite the international community's efforts, such conflicts continue to bring death and suffering to thousands of people, primarily civilians. A significant number of these are children, women, the elderly and refugees — in other words, particularly vulnerable groups. Personnel providing humanitarian assistance through the United Nations, the International Committee of the Red Cross (ICRC) and other organizations are also falling victim. Of course, the main responsibility for protecting civilians in all circumstances is born by the States and parties to an armed conflict. This must not detract, however, from the importance of international efforts in this area. There is a contribution to be made, in the context of its task of maintaining international peace and security, by the Security Council of the United Nations.

The 12 August marked a half-century since the adoption of the Geneva Conventions on the protection of victims of war. These marked a true milestone in the development of international humanitarian law, the foundation of which was laid 100 years ago by the first Peace Conference at The Hague, convened on the initiative of Russia.

Despite the fact that most States are parties to the Geneva Conventions, the gulf between the provisions contained therein and their implementation in times of armed conflict remains, unfortunately, too wide. Paramount is the need to strengthen the monitoring of compliance with the norms of international humanitarian law. An important role could be played here by the ICRC. In our view, we should also study the question of expanding the functions of the International Fact-Finding Commission, as well as the question of convening, in the framework of the Geneva Conventions, a committee to review countries' implementation of their commitments. This would allow us to mobilize the additional potential of political and international legal resources to protect the victims of armed conflict and to narrow the scope of permissibility in the conduct of warfare. The world community must not tolerate the practice of fomenting armed conflict or the actions of those who deliberately ignore international legal prescriptions to protect civilians and who use violence and terror against civilians and humanitarian personnel.

Russia, in the United Nations and at the regional level — *inter alia*, in the context of the Commonwealth of Independent States and the Organization for Security and Cooperation in Europe — has frequently made important humanitarian proposals. One such proposal was on the need to establish a monitoring system whereby the international community would evaluate and react quickly to any violations of the norms of international humanitarian law. We support efforts to further protect

identifiable groups of people, primarily children, during armed conflict.

It is very important to ensure national and international criminal prosecution of persons responsible for war crimes and crimes against humanity. Ensuring certain punishment for such crimes, on the basis of fairness and without double standards, is the task of the International Criminal Court. Last summer, Russia supported the adoption of the Court's Statute.

The problem of protecting civilians in armed conflict requires a comprehensive approach. That is precisely the thrust of the Secretary-General's recommendations in his report on this issue. Many of those recommendations are consonant with Russian initiatives, including on the establishment of humanitarian corridors and on taking humanitarian constraints into consideration in the imposition of sanctions. Also noteworthy is the idea that the 1994 Convention on the Safety of United Nations and Associated Personnel should be supplemented by a protocol to extend the scope of legal protection to all related personnel. A positive role could be played by including a mass-media component in peacekeeping operations to prepare and disseminate information on international humanitarian law and human rights. The other recommendations of the Secretary-General also deserve serious study.

Today's broad discussion and the decision which the Security Council will take afterwards should lend additional impetus to international efforts to protect civilians from armed conflicts.

Mr. Buallay (Bahrain) (*spoke in Arabic*): At the outset, allow me to express my thanks and appreciation to you, Sir, and to the delegation of the Netherlands for convening this meeting. This meeting undoubtedly will be an effective contribution to making the work of the Security Council more transparent. My delegation highly appreciates the Secretary-General's statement, in addition to his valuable report on the subject under discussion, namely, the protection of civilians in armed conflict.

It is indeed regrettable to see that civilians in cases of armed conflict face acts of terrorization and brutal treatment, torture, killing and maiming, as well as genocide or ethnic cleansing, in addition to acts of disappearance because of the rebels or the combatants, whether from opposition or Government forces in the areas of armed conflict. All of these acts take place in total disregard of all the conventions of international humanitarian law and the law of human rights, notably the Fourth Geneva Convention of 1949.

The cause of our major concern is that loss of life among civilians, or losses resulting from the destruction of civilian infrastructure, are no longer simply the legacy of war. Indeed, they are a deliberate targeting of non-combatants in order to expel or ethnically cleanse groups of the population or to accelerate total military surrender. By way of example, we can refer to the events that took place recently in Angola, where, in order to achieve military gains, UNITA attempted to expel the civilian population from the towns under its control to the towns under the control of the Angolan Government.

This problem assumes increasing importance in view of the growing number of civilians involved. The number of internally displaced persons has reached 30 million. Women and children have become the primary targeted victims of armed conflict because of their inability to defend themselves.

Another negative aspect which must be taken into account is that combatants try to restrict the acquisition by civilians of food and other forms of assistance for survival and attempt to starve them to death deliberately. In addition, they target humanitarian workers and those who work in peacekeeping operations. The suffering meted out to civilians in armed conflict in our time makes it incumbent upon us to look seriously into the recommendations made by the Secretary-General in his report on the protection of civilians in armed conflict.

The Security Council must shoulder its responsibilities vis-à-vis these civilians, through taking actions that would increase the Organization's ability to deploy rapidly forces and to establish a permanent mechanism to monitor the sanctions regimes, whether imposed by the United Nations or by regional organizations, and to ascertain the possible effects of sanctions on civilians.

Of special importance is the recommendation that the Council, should it receive information on an imminent conflict targeting civilians and protected persons, should then impose an embargo on arms supplies. In certain cases the Council should consider the deployment of a preventive peacekeeping operation or provide for another form of presence for preventive monitoring.

The Council should adopt further targeted sanctions to put an end to the violations of international humanitarian law. It should also deploy international monitors to follow closely the situations in refugee camps and camps of internally displaced persons, especially when there is a suspicion that there are armed combatants or armed elements inside those camps.

We would like to reaffirm anew the importance of taking into account the recommendations of the Secretary-General on the alleviation of the plight of civilians at the time when armed conflicts break out and target them specifically. The Council, in its resolutions on the outbreak of any armed conflict, must reaffirm that there is a need for unimpeded access to extend humanitarian assistance to the civilian population.

Finally, I would like to express our support for the draft resolution before us at this meeting. It is our hope that the draft resolution will contribute in a genuine manner to the protection of civilians during armed conflict. I mention in particular the establishment of a working group to consider and study the recommendations made by the Secretary-General in his report.

Mr. Essonghe (Gabon)(*spoke in French*): Like others who spoke before me, I would like to express my appreciation and thanks to the Secretary-General for the very relevant recommendations contained in his report now before us dealing with this issue of great importance, the protection of civilians in armed conflict.

I welcome here the presence of the Secretary-General, and I am grateful also to you, Sir, for the excellent initiative in bringing this item to the agenda of the Security Council.

During the many discussions which the Security Council has held on matters relating to humanitarian protection and respect for human rights, my delegation has stressed the need for all States Members of the United Nations to sign and ratify the main instruments of humanitarian law, law on refugees and all other human rights laws. I can never overemphasize this point — and this is a point also made by the Secretary-General in his recommendations — that there is a need for everybody to implement the provisions of the relevant conventions on the protection and respect for human rights and international humanitarian law.

In this area, everybody has to cooperate, particularly in refusing to take in those responsible for violations of human rights and international humanitarian law and in surrendering such persons to the international legal bodies established for that purpose, namely, the International Tribunals for the former Yugoslavia and Rwanda, and soon the International Criminal Court in Rome.

My delegation agrees with all the measures proposed by the Secretary-General regarding preventing conflicts which are the source of such unspeakable suffering and give rise to such serious violations of human rights.

We also agree that the emphasis must be placed on establishing early warning systems or mechanisms. Not only States would be involved in this, but humanitarian and human rights organizations and study groups should also contribute, so that any early indications of possible situations of armed conflict could be identified. It is our firm belief that preventing conflicts would mean people could be spared useless suffering and would assist in making available considerable resources which could be used for development.

It is our view that the United Nations, while developing its early warning system, should also help in the establishment and strengthening of similar mechanisms at the regional and subregional levels, as indicated in Security Council resolution 1197 (1998), adopted pursuant to the work of the working group set up in resolution 1170 (1998).

We are in favour of negotiating humanitarian corridors with the parties to a conflict in order to enable humanitarian organizations to reach and assist populations in need in combat areas. In this connection, we stress the non-discriminatory and neutral character of humanitarian assistance, the necessity of cooperation by all involved, including States neighbouring conflict zones, and the fact that no party should consider the actions of humanitarian organizations as a hostile or partisan act.

Sanctions do make sense as a deterrent against those who violate human rights and international humanitarian law. But they must be judiciously targeted and respected. In this regard, my delegation welcomes the existence of Security Council sanctions committees, whose goals are to insure respect for sanctions.

In this connection, we support the initiative taken by the Chairman of the Sanctions Committee on the situation in Angola to investigate violations of sanctions imposed on UNITA, given the length of time that the conflict has been taking place in that country and the fact that it has

already produced numerous victims and has caused a grave humanitarian catastrophe to drag on.

My delegation also supports the pressing need for arms embargoes against armed rebel movements and groups, given the impact of small-calibre arms on the security of populations and therefore of States. But the effectiveness of these measures has to be strengthened. This was a matter dealt with by the group of experts established pursuant to resolution 1170 (1998), which prepared a draft resolution which the Council adopted as resolution 1196 (1998). We must ensure the implementation of that resolution — and, indeed, of all others — if we truly want to protect the rights of civilians and ensure security and neutrality in refugee camps.

This leads me to speak of recommendations on integrating human rights and humanitarian concerns with peacekeeping activities. We agree with the Special Committee on Peacekeeping Operations that operations should be multidisciplinary so as to include activities related to civilian police, humanitarian assistance, disarmament and demobilization, combating illicit trafficking in small arms and light weapons and, of course, human rights. This need to take a comprehensive approach to peacekeeping presupposes a clear and unambiguous definition of the tasks set forth in the mandate for any peacekeeping operation, in order that it can ensure the protection of civilians and support humanitarian organizations in their assistance and aid work.

Finally, the populations that have suffered horribly from armed conflicts will judge the commitment of the Security Council and of the international community to their plight by the ability of the Council and the international community to settle and, especially, prevent conflict, mobilize resources for actual operations on the ground and implement their own measures. We also believe that unless there is a realistic policy to reduce the causes of conflict, any action, even assistance, will remain only a superficial measure. We therefore call for equitable treatment by the United Nations of all conflict situations throughout the world.

In conclusion, let me say that my delegation has no objection to supporting the draft resolution before us.

The President: I should like to draw the attention of the Council to document S/1999/981, which contains the text of a draft resolution prepared in the course of the Council's prior consultations and which is now before the Council.

There is still a large number of speakers remaining on my list for this meeting. But, in view of the adverse weather conditions, I shall now suspend the meeting until 10 a.m. tomorrow, Friday, 17 September 1999.

The meeting was suspended at 2.05 p.m.